

Serial No.: 09/973,671

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REMARKS

Claims 1-20 are pending in the present application after this amendment adds new claims 19 and 20. Claims 2, 5, 8, 11, 12, 14, and 18 have been amended to correct typographic errors, to respond to the rejections under 35 U.S.C. §112 and §102, and/or to further clarify the subject matter recited therein. No new matter is added by the amendments, which find support throughout the specification and figures. In particular, the new claims are supported at least at page 15, lines 21-25, and page 19, line 14, to page 20, line 24. In view of the amendments and the following remarks, favorable reconsideration of this case is respectfully requested.

The Examiner rejects claims 2, 5, 8, 11, 12, and 14 under 35 U.S.C. § 112, second paragraph, as being indefinite.

In particular, the Examiner rejects claims 2, 5, 8, 11, and 14 due to the use of the word "stage", which the Examiner asserts is unclear. The claims have been amended to clarify that the fees for the services to be provided to the service beneficiaries are set at *discrete amounts* of the frequency and the quantity of advertising selected *and wherein at least one of the discrete amounts includes free of charge*. It is respectfully submitted that the amendment to claim 2 discussed above, and the similar amendments to claims 5, 8, 11, and 14, clarify the claims, and it therefore respectfully requested that the rejection be withdrawn.

The Examiner rejects claim 12 due to the use of the term "changing means". The Examiner interprets the term as a user interface enabling the client to change the type of service desired. Claim 12 is amended to clarify that the changing means includes an interface adapted to accept a modification of the selection of at least one of the frequency and the quantity of advertising to be added to the contents to be distributed. It is therefore suggested that the claims are definite, and respectfully requested that the rejection be withdrawn.

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The Office Action rejects claims 1-18 under 35 U.S.C. §102(b) as anticipated by United States Patent No. 5,774,869 to Toader (hereinafter referred to as Toader). Applicants respectfully traverse.

Claim 1 relates to a method of providing services that includes making service beneficiaries *select at least one of the frequency and the quantity of advertising to be added* to the services provided. In amended claim 1, the services are provided when the selection is made. The method according to claim 1 also includes setting a fee for the provision of services to the service beneficiaries, according to at least one of the frequency and the quantity of advertising selected.

Toader apparently discloses a method for providing sponsor paid internet access that includes providing a guided tour including exposure to sponsor products and/or services. The user is allowed a certain amount of free internet access time, after which an extension of time is allowed in exchange for the user completing a survey or paying for access. However, Toader does not appear to discuss a user *selecting* a quantity or frequency of advertising to be added to the services provided. The Examiner apparently asserts that the user being given the option of completing an additional survey including sponsor information in exchange for additional free internet access time (Toader; col. 2, lines 60 et seq.) constitutes the selection of one of a frequency and quantity of advertising. However, deciding whether to complete a survey does not disclose or suggest a selection of one of a frequency and a quantity. A frequency of advertising in this context is a number per unit time (Specification; page 14, lines 11-14). Nowhere does the user in Toader select a *frequency of advertising*. Instead in Toader, the user obtains access to the service for a period of time, and upon completion of that time, is offered to complete a survey. Similarly, Toader does not disclose or suggest a user selecting a *quantity of advertising*. The

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user is offered an opportunity, upon completion of the initial service, to submit to a *preset amount of advertising* in exchange for continued free usage. Alternatively, the user may pay for the service. The user apparently decides to complete a survey or not to complete a survey. However, in neither situation does the user select a *quantity* of advertising to be provided. Therefore, Toader does not disclose a selection of the frequency or the quantity of advertising, and therefore claim 1 is allowable over Toader for at least this reason.

Independent claims 4, 7, 10, 13, 16, and 17 include a feature similar to that discussed above in regard to claim 1, and therefore, for at least the same reasons discussed above in support of the allowability of claim 1, independent claims 4, 7, 10, 13, 16, and 17 are also allowable.

Claims 3, 6, 9, 12, 15, and 18 depend from one of claims 1, 4, 7, 10, and 13, and are therefore allowable for at least the same reasons as their respective base claims are allowable.

New claim 19 depends from claim 1 and is therefore allowable for at least the same reasons as claim 1 is allowable. Additionally, claim 19 recites that the transmission of the services is interrupted when the advertisement information is being received by the user, and the distribution of services is restarted after the receiving of the advertisement information is completed. It is respectfully submitted that none of the cited references disclose or suggest this feature, and that for at least this additional reason claim 19 is allowable.

New claim 20 depends from claim 1 and is therefore allowable for at least the same reasons as claim 1 is allowable. Additionally, claim 20 recites that the service beneficiaries select *both the frequency and the quantity of advertising to be added* to the services provided. It is respectfully submitted that none of the cited references disclose or suggest this feature, and that for at least this additional reason claim 20 is allowable.

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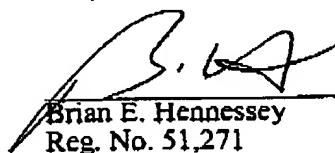
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In view of the remarks set forth above, this application is believed to be in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

  
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Docket No.: 100809-16271 (SCEY 19.057)  
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